

UNITED STATES DISTRICT COURT

for the
Eastern District of California

FILED

Apr 29, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEALED

2:22-mj-0067 AC

United States of America
v.

KAMIL MISZTAL

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 27, 2021 in the county of Placer in the
Eastern District of California, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. § 841(a)(1); and

Possession with Intent to Distribute at least 50 kilograms of a mixture and substance containing a detectable amount of Marijuana, a Schedule I Controlled Substance; and

18 U.S.C. § 922(g)

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

(see attachment)

☒ Continued on the attached sheet.

/s/ Brian Nehring

Complainant's signature


SA Brian Nehring, DEA

Printed name and title

Sworn to me and signed via telephone.

Date: April 29, 2022

City and state: Sacramento, California


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, DEA Special Agent Brian Nehring, being duly sworn, depose and state as follows:

1. I am a Special Agent of the Drug Enforcement Administration (DEA), San Francisco Field Division, and have been so employed since 1991. I have had numerous assignments since beginning with DEA, including being assigned to the San Francisco Division Office between 1991 and 1994, the Alameda County Narcotics Task Force between 1995 and 1996, the San Francisco Division Clandestine Laboratory Enforcement Team from 1997 to 1999, the Oakland Resident Office between 1999 and 2002, and the Mobile Enforcement Team (MET) between 2002 and 2004. I have been assigned to the Sacramento Division Office since September of 2004.
2. This Affidavit is submitted in support of a Criminal Complaint charging **Kamil MISZTAL** with the following:

Count One: Possession with Intent to Distribute at least 50 kilograms of a mixture and substance containing a detectable amount of Marijuana, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1); and

Count Two: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g).

Summary of Investigation

3. During 2021, I conducted an investigation into the drug trafficking activities of Kamil MISZTAL. I received information that MISZTAL lived outside of California in Illinois where he ran an exotic vehicle rental business "I-94 Exotics." I also received information that MISZTAL regularly travelled to California to obtain multiple, 100-pound quantities of marijuana and then transported the marijuana back to Illinois for distribution. I further learned that MISZTAL maintained a residence at 1785 Laporte Drive, Roseville, California within a gated community where he stayed while doing business in California. I also learned MISZTAL used this residence to meet his drug suppliers in order to have the marijuana delivered and then repackaged for transportation outside of California. I further learned that MISZTAL was a convicted felon and that he allegedly kept firearms at this residence to protect his money and drugs.

4. Inquiries with NCIC revealed that MISZTAL sustained the following convictions:
 - Felony conviction for burglary on or about October 17, 2007, in Cook County (Illinois), in Case No. 2007C5505570.
 - Felony conviction for burglary on or about December 21, 2007, in Cook County (Illinois), in Case No. 2007CR185670.
5. I verified through database inquiries in the CLEAR Thomas and Reuters system that MISZTAL was listed as the President and Owner of I94 EXOTICS in both Chicago, Illinois, and Miami, Florida.
6. I also spoke to DEA Agents in Chicago, Illinois who verified that MISZTAL had been observed at the I94 EXOTICS business location during past surveillances conducted in Chicago.
7. During September and October of 2021, I travelled to 1785 Laporte Drive, Roseville, California on numerous occasions and never observed a vehicle parked in the driveway or in front of the residence. On October 25, 2021, I observed that there was a new model gray Dodge truck parked in the driveway of 1785 Laporte Drive, Roseville, California. This vehicle displayed Illinois license plate number CB54493.
8. Inquiries with the Illinois Department of Motor Vehicles revealed this plate was registered to “I94 Exotics – Firm Owned” in Illinois – MISZTAL’s business. However, Illinois records reflected that the license plate number corresponded to a 2017 Nissan Coupe, not a Dodge truck. Given this information, I believed that MISZTAL likely placed the license plate from Nissan vehicle on this particular Dodge vehicle in order to confuse or conceal the true ownership of the vehicle. In my experience, this is a common practice among drug traffickers who hope to conceal and disguise the identity of any particular’s vehicle’s ownership.
9. The following day, on October 26, 2021, I observed the same gray Dodge Truck in the driveway next to a newer model (2021) orange Dodge Hellcat with paper plates parked in the driveway. A picture of the Dodge truck and the Hellcat in front of 1785 Laporte Drive are included below.



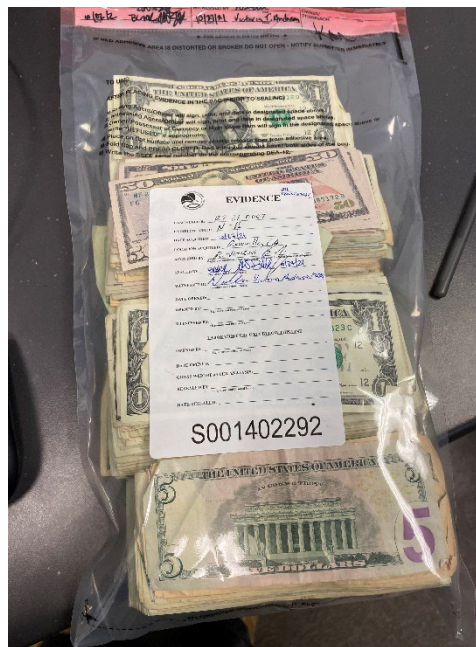
10. Based upon this investigation and additional facts detailed in a search warrant affidavit, on October 26, 2021, the Honorable Kendall J. Newman authorized a search warrant for the residence at 1785 Laporte Drive, Roseville, California, and the person of MISZTAL and his cellular telephone.
11. On October 27, 2021, agents executed the search warrant at 1785 Laporte Drive. As I approached the residence, I determined that the gray Dodge Truck was no longer present but that the orange Dodge Hellcat, a new model silver BMW X6 SUV, and a white new model Corvette ZR1 (each with no license plates displayed) were now parked in the driveway. A picture of those vehicles in front of 1765 Laporte Drive is included below.



12. After knocking and announcing the presence of law enforcement, agents prepared to execute a search warrant. Ultimately, agents made entry into the residence through the front door. Inside, agents located MISZTAL in a downstairs bedroom. Four additional individuals were in an upstairs bedroom. These people included MISZTAL's girlfriend (Yana MISKA), MISZTAL's sister (Angelika MISZTAL), MISZTAL's friend (Yaroslav SYMKO), and Samuel ROBINSON.
13. During a search of the residence, I observed a large amount of marijuana throughout the first floor interior of the residence. It was subsequently determined to be approximately 140 individually-packaged one-pound bags. Agents weighed the marijuana and determined the marijuana was a total gross weight of 171 pounds. Two pictures of the marijuana from 1765 Laporte are included below.



14. During a search of the room that MISZTAL had been located in, as well inside a backpack MISZTAL identified as belonging to him, I located indicia and identification throughout bearing MISZTAL's name as well as what was later determined to be \$28,610 in U.S. currency. A picture of the seized cash is below.



15. I subsequently observed that there was a storage closet area on the first floor directly under the staircase leading upstairs. This pantry-type area also contained loose marijuana and additional vacuum seal bags on the floor. There was a large safe in this area which was unlocked. When I opened it, I observed a Glock 17 9mm semi-automatic pistol, serial number BDTH274, containing a magazine loaded with 9mm ammunition, and a Glock 21 .45 caliber semi-automatic pistol, serial number AFBW205, containing an ammunition magazine, sticking out of a pocket on the interior door. I also saw that there was loose 9mm and .45 caliber ammunition in this

safe. There was also a box of ammunition in the kitchen area of the residence. Pictures from some of these findings are included below. ATF Special Agent Matt Garrett subsequently confirmed that each firearm was manufactured outside the state of California and therefore moved in interstate and/or foreign commerce.



16. I subsequently spoke to MISZTAL and read him his *Miranda* warning. He indicated he understood his rights and agreed to talk to me. During a recorded interview, MISZTAL related the following in summary. The following summary does not include every fact or activity that I discussed with MISZTAL but, instead, includes facts related to his marijuana trafficking and illegal possession of firearms.
17. MISZTAL indicated that he was present in California to obtain marijuana which he was sending back east and that he had arrived approximately five days earlier. MISZTAL said that the previous evening he had received the over 100 pounds of marijuana which was located in the residence. He was expecting at least another additional 200 pounds to be delivered that day. MISZTAL indicated he was originally from Chicago and that he currently lived full-time in Miami where he operated a car business.

18. MISZTAL admitted that he knew he was a felon. When asked if there were any firearms in the residence, he said that there were two pistols in the safe in the pantry under the stairs. MISZTAL acknowledged that he possessed them and knew that he was prohibited from doing so. MISZTAL stated that this residence remained unoccupied when he wasn't present and that he came to California every couple of months to obtain approximately 300 to 400 pounds of marijuana.
19. I asked MISZTAL about the silver BMW X6 SUV, the orange Dodge Challenger Hellcat and white Corvette ZR1 parked in the driveway of the residence, none of which displayed a license plate, as well as the gray Dodge Ram Rebel which had previously been observed in the driveway of this residence a few days earlier. MISZTAL related that a person in Chicago had given him the vehicles to bring to California to trade for marijuana which they would then split the profit from once it was sold. MISZTAL admitted that he had brought vehicles to California twice before to trade for marijuana. MISZTAL related that he had traded the gray Dodge Truck previously observed and photographed the previous evening with the source of supply for the marijuana in the house and that he had planned on trading the additional vehicles parked in front for more marijuana that day. MISZTAL admitted that he had intentionally mis-plated the vehicle with a license plate from one of his vehicles in Illinois.
20. Officers located and conducted inquiries on the vehicle identification numbers (VIN) displayed on the vehicles in the driveway and could find no record of those VIN numbers for the orange Dodge Challenger and the silver BMW X6 per NCIC/NLETS inquiries. Detectives assigned to the Placer County Auto Theft Task Force subsequently conducted electronic checks on the vehicle and determined that the internal VIN numbers contained in the circuitry of the vehicles identified them as having been stolen outside of California and these VIN numbers did not correlate with the outward displayed VIN numbers. It appeared the outward-displayed VINs were fabricated. These vehicles were seized by the Placer County Auto Theft Task Force for recovery.
21. During a subsequent search of the upstairs room in which ROBINSON had been located, agents located a loaded Glock 43 semi-automatic pistol. I read ROBINSON his *Miranda* warnings. He acknowledged his rights and he agreed to speak to me. During a recorded statement, ROBINSON said he worked fulltime providing security at nightclubs and events in Chicago as well as providing bodyguard services. ROBINSON was determined not to be a felon (he had no arrest record) and the registered owner of the firearm. ROBINSON said that MISZTAL asked him to come to California and acknowledged that he knew that MISZTAL was involved in

marijuana trafficking. According to ROBINSON, MISZTAL wanted him to bring his firearm and provide MISZTAL with security services while he was engaged in his marijuana trafficking.

22. Based upon the facts detailed above, I respectfully request that a Criminal Complaint and arrest warrant be issued for Kamil MISZTAL charging him with the following:

Count One: Possession with Intent to Distribute at least 50 kilograms of a mixture and substance containing a detectable amount of Marijuana, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 841(a)(1); and

Count Two: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g).

Request for Sealing

23. I respectfully request that this Criminal Complaint, Affidavit and Bench Warrant be placed under seal pending their execution. This request is made because the Affidavit makes plain that MISZTAL and his co-conspirators are the subject of a current, ongoing drug trafficking investigation by DEA. This investigation is neither public nor known to all the targets of the investigation, and relies, in part, on a CS that is currently operational by communicating with MISZTAL. If this Affidavit and its findings are filed on the public docket, I fear that MISZTAL and his co-conspirators (both known and identified in this Affidavit and those unknown to DEA at this time) involved in this ongoing conspiracy, will destroy evidence, flee from the jurisdiction, and/or attempt to retaliate against the CS. As a result, I respectfully request that the

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Court seal the Affidavit and documents relating to this criminal complaint. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize the investigation and place the CS in danger of physical harm. Sealing these documents will also better ensure the safety of agents and others.

I swear under penalty of perjury, that the foregoing information is true and correct to the best of my knowledge, information and belief.

/s/ Brian Nehring
Brian Nehring, Special Agent
Drug Enforcement Administration

Sworn to and subscribed before
me telephonically on the 29th day of April 2022.


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

Approved as to form:

/s/ Jason Hitt
Jason Hitt
Assistant U.S. Attorney